

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SCA-01 JUSE-00 SSO-00 /017 W

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O 271412Z APR 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC IMMEDIATE 1122

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E.O. 1L652:N/A

TAGS: CPRS, PFOR, UK (LIVAS, ION)

SUBJECT: EXTRADITION: ION LIVAS

REF: LONDON 5388 ET AL

L. BRITISH DPP ADVISED EMBASSY THAT IT HAS RECEIVED TWO LETTERS DATED APRIL 19 AND APRIL 21 CONCERNING REQUEST FOR PROVISIONAL ARREST OF LIVAS DIRECT FROM ASSISTANT USA GORDON. STEIN OF JUSTICE HAS RECEIVED COPIES.

2. WHILE LETTERS SENT IN ATTEMPT TO JUSTIFY URGENCY FOR PROVISIONAL ARREST IN LIVAS CASE, THEY ALSO REBUKE AND TALK-DOWN-TO DPP (SEE APRIL 19 LETTER) WHICH WAS ABOUT TO REGISTER ITS CONCERN IN FORMAL LETTER TO EMBASSY.

3. USA'S LETTER MAY WELL PROVE COUNTER PRODUCTIVE AND EMBASSY REGRETS NOT REPEAT NOT BEING KEPT IN PICTURE ON THIS COMPLICATED CASE.

(FYI: BRITISH POLICE AUTHORITIES ARE CONVINCED ON BASIS OF THEIR INVESTIGATIONS THAT LIVAS IS NOT REPEAT NOT ABOUT TO ABSCOND AND THE DPP, WHICH HAS BEEN UNDER CON-
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PARLIAMENT, IS NOT REPEAT NOT ABOUT TO MOVE ON THIS CASE WITHOUT THE EVIDENCE IT HAS BEEN REQUESTING FOR SEVERAL MONTHS.)

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4. ON THE QUESTION OF EVIDENCE. DPP CAN, RIGHTLY ENOUGH,

POINT TO THE FACT THAT REQUIREMENTS WERE DISCUSSED WITH ASSISTANT USA GORDON AS EARLY AS AUGUST' 1975 AND THAT IT NOT REPEAT NOT UNREASONABLE FOR DPP TO EXPECT TO HAVE SUFFICIENT EVIDENCE BY THIS TIME TO OBTAIN ORDER TO PROCEED FROM HOME SECRETARY.

4. IN THIS REGARD, DPP IS ALSO DISTURBED BY INCONSISTENCY OF US ATTORNEY WHO IN STATE TEL: 75818 RECOGNIZES TIME-LIMITATION INVOLVED, ACCEPTS DPP'S ADVICE AND "ASSURES DEPARTMENT DOCUMENTS WILL BE READY TO BE TRANSMITTED WITHIN 30 DAYS" WHILE IN APRIL 19 LETTER ADVISES DPP "WE CAN SEE NO PURPOSE IN ENGAGING IN THE LABORIOUS TASK OF BRINGING WITNESSES HERE FROM ALL OVER THE WORLD TO PREPARE AND EXECUTE AFFIDAVITS UNTIL THE WILLINGNESS AND ABILITY OF THE ENGLISH COURTS TO EXERCISE JURISDICTION OVER THE PERSON OF LIVAS IS ESTABLISHED BY HIS ARREST."

5. WHILE DPP ADVISES THAT EMBASSY IS, OF COURSE, FREE TO SUBMIT USA LETTERS AND ENCLOSURES TO BOW STREET COURT MAGISTRATE IN FURTHER EFFORT TO OBTAIN PROVISIONAL ARREST IT IS UNLIKELY THAT MAGISTRATE WOULD ISSUE WARRANT. UNLESS THE DEPARTMENT INSTRUCTS OTHERWISE, EMBASSY WILL BE GUIDED BY DPP'S ADVICE AND WILL NOT REPEAT NOT SUBMIT LETTERS TO BOW STREET COURT.

ARMSTRONG

NOTE BY OC/T: SUSPECTED OMISSION PARA 3. CORRECTION/CLARIFICATION TO FOLLOW.

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Message Attributes

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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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